

## IMMUNITY FOR PACKERS

Judge Humphrey Frees Beef Men Who Gave Garfield Facts.

### CORPORATIONS TO BE TRIED

Cannot Be Prosecuted as Individuals, the Court Decides—Information Obtained Was Not Voluntarily Given, But Was in Response to Government's Demand—Trust Heavily Vulnerable.

Chicago, Ill.—By a decision of Judge J. Otis Humphrey in the United States Circuit Court here all the meat packers who were indicted by a Federal Grand Jury on charges of conspiracy in restraint of interstate trade are granted immunity from criminal prosecution.

Under the decision the individuals are to go free, but the indictments against the corporations of which some of the indicted men are members and others are employees are to stand.

The individuals who go free under the decision are: J. Ogden Armour, Edward Morris, Charles W. Armour, Ira N. Morris, Louis F. Swift, Edward F. Swift, Charles N. Swift, Edward Cudaby, Arthur Meeker, T. J. Connors, P. A. Valentine, A. H. Veeder, Arthur F. Evans, I. A. Carlton, Robert C. McManus and D. E. Hartwell.

The corporations that must stand trial are: Armour Packing Company, Armour & Co., Cudahy Packing Company, Fairbank Canning Company and Swift & Co.

Judge Humphrey spoke for nearly an hour before indicating what the ultimate decision would be.

Reviewing the salient features of the case, the court went into a consideration of some of the points involved.

In conclusion he summed up his decision as follows: "Under the law in this case the immunity plea filed by the defendants will be sustained as to the individuals and denied to the corporations, and the jury will find in favor of the Government so far as the corporations are concerned and against the Government so far as the individuals are concerned."

During the rendition of the decision the court was crowded by defendants and spectators. Edward Morris and Edward Swift were in court, and both smiled when the decision was announced. J. Ogden Armour was not present, but some men prominent in the employ of Armour & Co., who were under indictment were there, and their joy was manifest. When the judge announced that the indictments would not lie against them, the defendants crowded together and shook hands.

District Attorney Morrison raised the question of the date for the trial of the corporations. He asked that the case be set for trial and that it commence within two weeks.

This met with a storm of protests from the attorneys of the packers, who insisted that they would be unable to prepare the case before fall. After some discussion Judge Humphrey directed that the lawyers agree among themselves on a date and notify him of their decision.

It is expected that the total number of witnesses in this trial will be at least 1000. Attorneys for the packers declined when asking for a postponement of their trial that their witnesses would number 1500.

The Government began its activities directed toward a prosecution of the packers and packing corporations in the summer of 1904. Shortly after the Commissioner of Corporations had begun work on his investigation at the instance of Congress.

In November of that year the Federal officers at Chicago and fifteen other cities acting simultaneously served subpoenas upon some 275 witnesses, some railroad men, some packing house clerks, some cattle men, some traffic managers and some officials of defunct packing companies and prepared for the presentation of a case before the Grand Jury.

### FIGHTING A CRAFTY REBEL.

German Have Fox in Africa Who Has Cost \$150,000,000.

Berlin.—Official dispatches received from German Southwest Africa announce the failure of the comprehensive surrounding movement undertaken by the German troops against Jacob Morenga, the last and most active of the native leaders of the rebels. The movement had been going on for weeks, and six large detachments with fifteen field and machine guns participated in it.

Colonel Deimling, the former Commander-in-Chief in South Africa, in a speech in the Reichstag said it was an error to suppose that Morenga was a savage with fangs in his nose and ears. He was as hard-headed and intelligent as a man as he had met, wore English riding clothes and spoke Dutch from having lived in Cape Colony. Morenga owned a large farm in German Southwest Africa and had a certain amount of generosity, for he gave a German whose farm he had plundered \$150 with which to return home in the first cabin.

The Reichstag passed the fourth supplementary African budget of \$7,500,000. The total cost of the insurrection up to date is about \$150,000,000.

Settling Disputes With Canada. Rapid progress is being made by Secretary of State Root in settling all disputes between the United States and Canada.

Year's Cotton Crop 10,697,013 Bales. A bulletin issued by the Census Bureau, Washington, D. C., shows the complete crop of cotton for 1905, including lint and counting round bales as half bales, to be 10,697,013, compared with 13,627,310 for 1904, and 10,915,721 for 1903.

Increased Export Trade. There is no falling off in the growth of the export trade of New Orleans. For the month of February the value of exports was \$2,000,000 greater than for February, 1905.

## MANIAC WOUNDS EIGHT

Funeral Stamped by Insane Uncle of Dead Child.

Walter Potee, of Brooklyn, Md., Turned Pistol on Mourners, Fired House, Then Killed Himself.

Baltimore, Md.—A maniac with a shotgun and three pistols broke into a funeral party, causing a panic among the mourners, shot two persons fatally, wounded six others, set fire to the house, and terrorized the neighborhood.

When his work of destruction was complete, and it was safe to approach the house, the charred body of the maniac was found in the ruins with a large bullet hole in his breast.

Walter Potee, twenty-five years of age, the maniac, killed himself or was killed by some one else. James H. Potee, his brother, was shot in the kidneys; William H. Miller, a brother-in-law, was shot in the eye; Chief of Police Irvin was shot in the hand. "Bud" McPherson, a brother-in-law, was shot in the lungs; Alexander Johnson's face was peppered; Policeman Frank Schlezki was shot in the breast and face, and Mrs. Charles Donnel and William M. Smith were slightly injured.

While friends were gathering at the home of John H. Potee, in Brooklyn, Anne Arundel County, just across the river from Baltimore, to attend the funeral of his six-months-old child, Walter Potee, a brother of John, ran into the house and began shooting right and left with his revolver. His brother was the first victim, being shot in the kidneys, and his brother-in-law, William H. Miller, was shot in the eye. The funeral party immediately dispersed and then Potee ran to the second floor and shouted defiance to all. He brought a shotgun into play and shot at all persons who approached. He then set fire to the house, and his mother and sister-in-law, who had locked themselves in the kitchen, escaped with difficulty.

The Baltimore Fire Department was called upon, but Chief Shipley refused to allow his men to approach the building, as the maniac and his gun were a menace. Otis Clark and other residents of the neighborhood got their gun and whenever Potee showed himself fired at him. While the house was burning Chief of Police Irvin, though shot in the hand, rushed into the parlor and saved the casket. After the house was burned Potee was found dead with a bullet in his breast. Whether he killed himself or was shot by one of the residents cannot be told. Potee had been demented for some time and members of his family were considering placing him in an asylum.

From the moment Potee broke into the room until the house was in ruins, Potee had the whole neighborhood in a state of terror. The county police were summoned, while great crowds from the county and city were drawn by the fusillade that was going about the place.

None dared to venture from behind cover, for even while the flames were crackling all about Walter Potee, the firing of his gun was being constantly sounded. He was well supplied with ammunition, and seemed able to command the approaches to the house from all directions.

It was found that Potee had completely saturated the rear of the house with kerosene.

Potee was a son of the late George Potee, formerly County Commissioner and a prominent politician.

### MCCURDY SUE FOR \$3,370,341.

Former President of Mutual Life Liable For "Yellow Dog" Disbursements. New York City.—Richard A. McCurdy, former President of the Mutual Life Insurance Company, and now in France, is held responsible for the return to the company of the colossal sum of \$3,370,341, which is the amount Joseph H. Choate figures was wasted or illegally spent through his "unfaithfulness and neglect" as head of the great insurance corporation.

Suit against him for the recovery of that amount was begun by the service of the complaint upon his attorney, De Lancey Nicol. Before his departure for Europe Mr. McCurdy arranged that service of legal papers upon Mr. Nicol would be binding upon himself.

### WALLACE FOR SEA-LEVEL.

Canal Could Be Built in Twelve Years For \$300,000,000.

Washington, D. C.—John P. Wallace, formerly chief engineer of the Isthmian Canal Commission, before the Senate Committee favored a sea-level canal. He put the cost at \$300,000,000 and the time to build it ten or twelve years. It would take only three years less time to build the proposed lock canal, he said. Mr. Wallace said the dams proposed would not be safe. He favored divorcing the Panama Railroad from the steamship business and from all New York control, and said this would save a large annual expenditure.

### DEATH OF CONGRESSMAN.

Representative Patterson. Stricken While Asleep, Quickly Expires.

Washington, D. C.—Representative George R. Patterson, of the Twelfth Pennsylvania District, died suddenly. Mr. Patterson had just returned to Washington from a visit to his home in Ashland, Pa., and apparently was in good health.

He was with his secretary until midnight, when he retired. About 4 o'clock a. m. he was taken ill and died an hour later. Heart failure is ascribed as the cause of death.

### Astor to Give Son Cliveden.

It is asserted that Waldorf Astor will marry Mrs. Annie Langhorne Shaw at the end of April in Virginia and that they will live at Cliveden, the Thames residence of William Waldorf Astor, which will be the wedding gift from Mr. Astor. He will also bestow upon his son an income of \$100,000 yearly.

### Telephone War in Iowa.

Three hundred independent telephone companies have combined in Iowa to fight the Bell Company.

## AWFUL ACT OF CRAZY MAN

Father Kills His Daughter and Himself.

### OPPOSITION TO MARRIAGE CAUSE

Brooding Over Prospect of Separation, Devoted Parent, His Mind Unbalanced, Shoots Daughter at Home in Everett, Mass., Three Hours Before Time Set For Wedding to Florida Man and Sidelings.

Everett, Mass., Special.—Less than three hours before the time set for her wedding Pansy E. Townsend was shot and mortally wounded by her father, Joseph P. Townsend, in their home in this city. Townsend then ended his own life with a bullet.

Miss Townsend was to have been married to Francis E. Perry, of Fort Myers, Fla., at 6 o'clock Monday night at the People's Temple, Boston. Early in the afternoon the father sent the only other member of the family, his 15-year-old son, Joseph, to East Boston on an errand connected with the coming wedding. The boy returned about 4.30 and let himself into the house with a key. Calling to his father and receiving no answer, he pushed open the sitting room door and entered. On the floor lay the dead body of his father, the head in a pool of blood, and a small rifle across the knees. Beside him was a revolver of a heavy calibre. Miss Townsend lay upon a couch at the side of the room and, according to the boy's statement, was still alive.

The boy tried to force some brandy down his sister's throat, and failing, hurried after doctors. When they arrived the girl was dead. She had been shot through the head.

The only clue to the cause of the tragedy was this note, written by Townsend:

"At 4.30 I have taken my daughter's life and my own. I do this rather than see her the wife of Francis Perry."

### Carnegie Offers \$25,000 to Roanoke College.

Salem, Va., Special.—President J. A. Morehead announces that Andrew Carnegie offers to give \$25,000 for a new endowment fund for Roanoke College when a like sum has been raised and the debt of \$10,000 on the new building has been paid. The object of proposed new fund of \$50,000 is to add professorships on account of increasing student attendance. Every effort will be made to meet the terms of the proposition.

### J. Clements Convicted of Manslaughter.

Florence, Special.—Court of sessions adjourned Saturday at 6:30 o'clock. The last case tried was that of Jesse Clements for killing Joseph Baker last week. The jury returned a verdict of guilty of manslaughter. He was sentenced to four years in the penitentiary, after being refused a new trial. An appeal was taken to the Supreme Court and Clements was released on a \$10,000 bond. It will be remembered that Clements and Baker had about young Clements sister.

### Secret Service Men Will Investigate.

Chattanooga, Special.—The Department of Justice at Washington has sent four secret service men here to investigate the lynching last Monday night of Ed Johnson, a negro prisoner charged with assault, an appeal in whose favor has been granted that day by the Supreme Court of the United States.

### News Items.

Chinese pirates captured and stole arms and ammunition from a Standard Oil Company's launch near Canton.

The French miners' strike is breaking up.

Ras Makonnen, Governor of Harar, Abyssinia, is dead.

It is said the American suggestion for a mixed police force in Morocco will not be pressed at Algiers.

Crime is keeping pace with repressive measures adopted in Russia.

Gen. Julio Sanbally, who took part in the Cuban insurrections of 1895 and 1897 and was suspected of being in the pay of the Spanish Government, died at Havana.

Republicans fear that the disaffection of the labor vote may cause them to lose the House at the next election.

Several villages in the Island of Savaii, German Samoa, have been destroyed by a volcanic eruption.

## N. C. RAILROAD MERGER

Nearly All the Various Independent Railroad Properties in Northeastern Section With More or Less Direct Outlets at Norfolk, Va., to be Merged, as Well as 600,000 Acres of Timber Land.

The entire properties of the Norfolk & Southern Railroad, running from Norfolk through eastern North Carolina, and the Virginia-Carolina Coast Railroad, which recently began the construction of a new railway line from Norfolk to Beaufort, N. C., and their lumber interests, are to be merged with an authorized capital of \$25,000,000 in bonds and \$25,000,000 in stock.

The railroad merger will give a total trackage of 600 miles and the lumber merger will make a total of 18 miles with an output of \$150,000,000 feet annually. There will be 600,000 acres of timber land owned in fee and a timber stumpage of four million feet.

The railroad merger means the taking of the Suffolk & Carolina, running between Suffolk, Va., Elizabeth City, N. C., and Edenton, N. C., the Pamlico & Albemarle, running from Newbern to Bayboro, N. C.; all of the Norfolk & Southern branch lines between Norfolk and Edenton, together with its Pamlico division through Mackey's Ferry to Belhaven and thence on to Plymouth and Washington; and the leases of the Atlantic & North Carolina Railroad, running between Beaufort, Morehead City and Goldsboro, N. C.

Grading is now complete for a new line from Mackey's Ferry to Columbia, N. C., and surveys are complete between Bayboro and Oriental. The road will be extended out to Newbern opening up vast timber lands.

### Capital Increased to \$75,000.

Salisbury, Special.—At a monthly meeting of the directors of the People's Bank an increase of paid-in capital from \$60,000 to \$75,000 was ordered. This is now the largest amount carried by any local bank, the Wachovia being a branch concern. This institution has enjoyed a splendid patronage and, at the end of four months, shows, in round numbers \$150,000 on deposit. It is believed by some of the largest stockholders that, at the end of the first six months a semi-annual dividend of 4 per cent will be declared. This is regarded as remarkably good for the first showing and there is naturally joy over the splendid record so far made.

### Shot Brother Dead.

Salisbury, Special.—Kincher Anderson, an 18-year-old boy of the county shot and killed instantly his brother, Walter, four years his junior. The boys live three miles in the country and every detail of the tragedy could not be learned. It does not appear that the older brother is guilty of more than criminal recklessness and he has not been arrested. The accident came about by the usual tampering with a pistol.

### Union Labor Barred at High Point.

High Point, Special.—On Saturday about 30 manufacturing firms here served notice that after April 2nd no union labor would be employed by them. Both sides have issued statements about the matter and there is considerable feeling.

### Telegraphic Briefs.

Justice O'Sullivan, of New York, decided that it may be larceny to make political contributions and that it is for the grand jury to determine if there was criminal intent.

A Kansas City judge refused again to try a man twice convicted of murdering his son and whom the Supreme Court had for the second time granted a new trial.

### Dealt Death to Aged Father.

Valdosta, Ga., Special.—News was received here of the death of John Brant, 81 years old, at his home at Nashville, Berrien county, as the result of injuries inflicted by his son, Bob Brant, aged 37 years. The report says that the younger man, under the influence of liquor, on Saturday night, attacked and abused his father, and left him for dead. Bob Brant defied arrest, but finally was overpowered and lodged in jail, with the charge of murder against him.

### News Notes.

The eviction of 50 families who refused to pay an increase in rent for Brooklyn tenements caused a riot, one landlord and the marshals being pelted with stones.

The Interstate Commerce Commission heard in New York some interesting testimony on the alleged misdescription of goods shipped over railroads by different firms.



## GOOD ROADS

Purely a Business Proposition. NATIONAL aid to highway construction as a plain, practical business proposition is, in my opinion, paramount to any question that now presents or that can possibly be suggested, because good roads would do more for the country than any other one thing that can be named, or any dozen or more things combined, writes W. P. Brownlow.

The question is outside of and above party politics, its entire constitutionality is now almost universally admitted, and the necessity for it is present in every household in the land. It is important to every calling and condition; to every trade and profession; to every toiler in whatever field of human endeavor; to every manufacturing interest and industrial concern; to every church and school, and to the stability of the Government itself.

I am aware that many people in cities and towns regard the road question as one affecting the farming interests alone. If this were true, it would yet be simple justice and only a recognition of the existence of reciprocal obligation between the Government and the people for the general Government to extend its aid, for the reason that all wealth and all prosperity depend upon agriculture. The farmers are the only real producers; all others are consumers. The farmers preserve the balance of trade in American favor year by year. Strike down agriculture, and chaos would quickly follow; cripple agriculture, and every interest in the land would suffer. But it is not true that the farmers alone are interested in this great question. It is pregnant with interest to the consuming population of towns and cities, and to railroads, manufacturers and tradesmen as well. Furthermore, church and school interests must inevitably be retarded while road conditions remain as they are to-day.

The rural schools are the schools of the masses in which are laid the deep and lasting foundations for coming lives of usefulness and for the betterment of mankind. The rural church-house is the birthplace of good character, of high ideals of life, and of patriotic purpose. Neither rural church nor school can flourish where impassable roads abound, and if these can not prosper the American home can not long survive, because the American home can only be perpetuated in its present glory through the uninterrupted progress of civilization and the wholesome growth of Christianity and the spread of education in the land.

There is a feature of this question which persons accustomed to thoroughness in every other line of thought seem to entirely overlook, especially dwellers in towns and cities. It is the universal interest involved, and upon this I desire to speak with special emphasis. Aside from church, school and social economy, there is meat in the question for every man to digest. If the common roads of the country were brought to a condition that would enable farmers to market their products at all seasons of the year, the cost of living in town and city would be greatly lessened, and discontent among laboring people and the operatives of industrial concerns would largely decrease, if it did not entirely disappear.—Collier's Weekly.

### Paper as Road Material.

The impetus recently given to highway improvement has been accompanied by many interesting experiments conducted with a view to ascertaining the most desirable material to employ in roadmaking. A great deal of useful knowledge has been attained in this way, and ultimately the public in general and the taxpayer in particular will be the gainer, as the result must tend toward economy and efficiency. In the vicinity of Rochester, N. Y., the road builders have been testing the virtues of gravel, used in a manner differing from old methods and suggested by engineers who have carefully studied the matter. Formerly gravel was found unsatisfactory as a roadmaking material, and its use has been largely condemned. The engineers in question say it has not been fairly treated, and they are attempting to demonstrate the truth of their statement. But the engineers go still farther, states the Troy Times, and assert that good roads can be made by proper use of any of the materials found in the vicinity of highways, thus obviating the procurement of the right substances at a distance. For instance, they produce a mixture the basis of which is the sand, clay or loam found at any roadside, and by mixing it in a certain way produce what they affirm to be satisfactory results. But, while sand, clay or loam may be the base, in reality a far more novel substance is brought into play—nothing more nor less, in short, than paper pulp. The account says the other materials are "mixed with the cheapest kind of wood pulp taken from the mills, just as it was ready to go to the paper machines." The earthy substances thus amalgamated make a dressing for roads which, the engineers say, is incomparable for smoothness and durability, and which can be supplied at moderate cost. Wonderful things have been done with paper of late, but even with this experience in mind the making of paper roads comes as a rather startling innovation.

### The use of perfumes is as old as civilization.

The Five-Year-Old's Prayer. Two brothers, one 8, the other 5, were in the library when the younger one overturned the ink. When mother appeared and sought the culprit Winthrop denied it flatly. Shocked at the deliberate falsehood, the big brother hurriedly knelt down and said: "Dear God: Please forgive Winthrop for telling lies. He doesn't know how wrong it is. Amen." With a look of scandalized contempt at the kneeling brother, Winthrop knelt and prayed: "Dear God: I wish my brother lived in another house so he couldn't peek. Amen."—Exchange.

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PURE WHITE LEAD and is ABSOLUTELY NOT POISONOUS. HAMMAR PAINT is made of the BEST OIL PAINT MATERIALS—such as all good painters use, and is ground THICK, VERY THICK. To make it mix, any boy can do it. It is the COMMON SENSE of HOUSE PAINT. NO BETTER PAINT can be made at ANY cost, and is

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General Offices, Brevard, North Carolina.

### WINTER SCHEDULE

Effective Monday, October 9, 1905.

No. 8 Eastern Standard Time No. 7

Daily STATIONS Daily

P. M. P. M.

3:25 Lv S. Ry. Asheville S. Ry 12:15

2:30 So. Ry. Biltmore So. Ry 12:10

Hender-

4:25 Ar S. Ry. sonville S. Ry 11:15

4:40 Lv Hendersonville Ar 11:10

4:44 Yale 10:56

4:50 Horse Shoe 10:50

4:53 Canaan 10:47

4:58 Etowah 10:42

5:03 Blantyre 10:37

5:10 Penrose 10:30

5:20 Davinson River 10:20

5:24 Pisgah Forest 10:16

5:30 Brevard 10:10

5:43 Selma 9:55

5:50 Cherryfield 9:50

5:55 Calvert 9:45

6:00 Rosman 9:40

6:18 Quebec 9:22

6:45 Lake Toxaway 9:00

\*Flag Station.

Parlor Car daily between Lake Toxaway and Asheville.

### Southern Railway Trains

Effective Monday, Oct. 9, 1905.

Trains on the Southern Railway

leave Hendersonville as follows:

No. 14 No. 10

East Bound East Bound

West Bound West Bound

8:10 A. M. 5:15 P. M.

No. 9. No. 13

West Bound West Bound

12:50 P. M. 6:35 P. M.

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Superintendent

J. H. HAYS,

General Manager